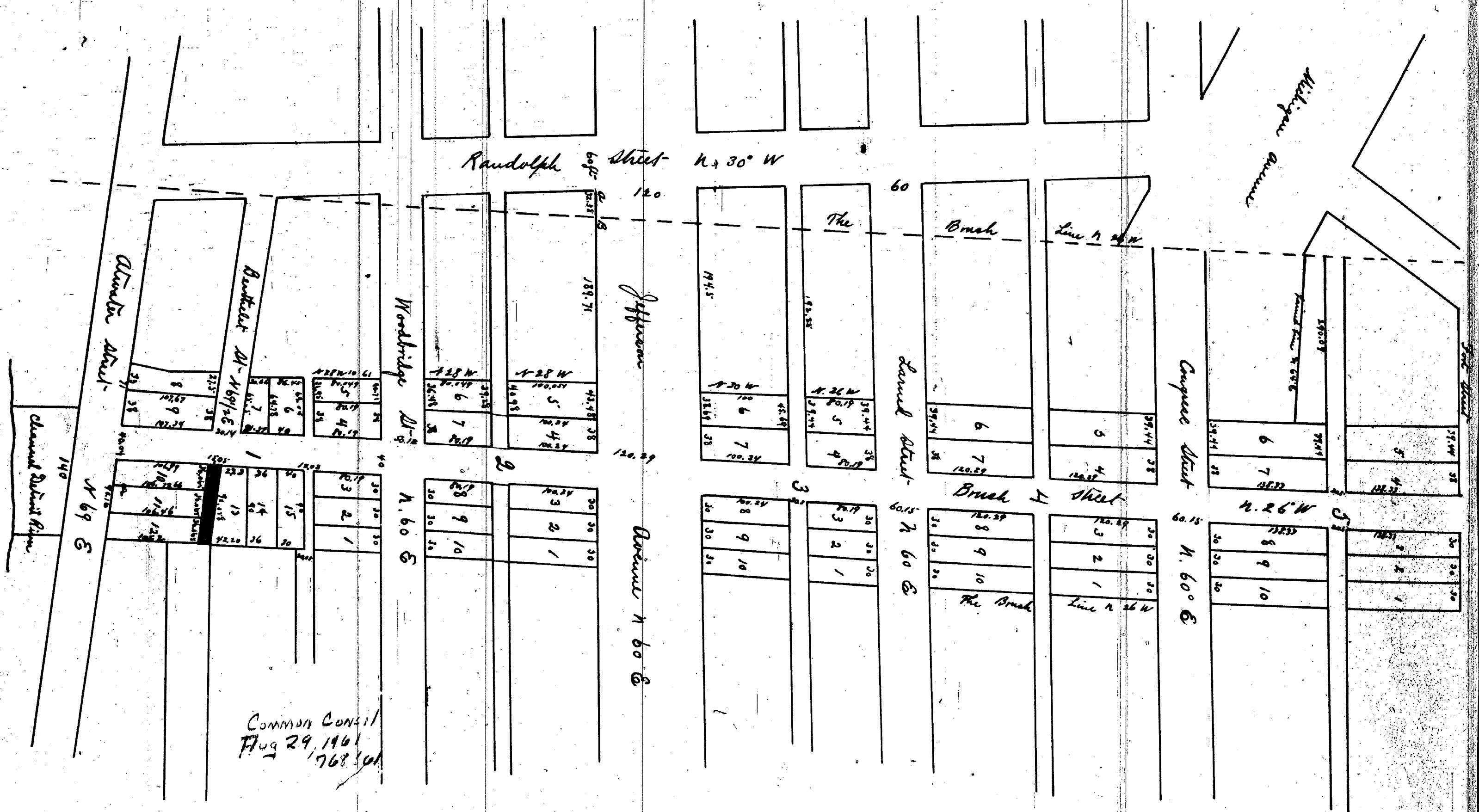




Dated this 22nd day of April 1910
Geo W Bennett
Clerk And Encls. Dept.

City Engineering Department
July 2, 1985

Honorable City Council:
Re: Petition No. 3546, American Red Cross, Conversion to Easement of a portion of north-south alley in the block bounded by Woodward, John R. Erskine and Eliot.

The above petition requests the conversion of a portion of the north-south public alley, 20 feet wide in the block bounded by Woodward Avenue, John R. Erskine and Eliot Streets into an easement for public utilities.

The requested conversion into easement for public utilities was approved by the Community and Economic Development Department. The petition was referred to us for investigation and report. Our report recommended by the original petition is as follows:

The petitioner plans to utilize the paved alley return entrance and requests such remain in its present status. Also, by filed letter the petitioner has agreed to pay all incidental removal costs whenever discontinuance of use makes removal necessary.

All involved City departments and privately-owned utility companies reported they have no objection to the conversion of public right-of-way into easement provided provisions are incorporated into the vesting resolution protecting their installations therein.

The adoption of the attached resolution is recommended.

Respectfully submitted,
CLYDE R. HOPKINS
Director

By Council Member Eberhard:
Resolved, That all that part of the north-south public alley, 20 feet wide in the block bounded by Woodward Avenue, John R. Erskine and Eliot Streets lying west of and abutting the west line of Lot 14, Block 10, of Brush Subdivision of part of Park Lots 17, 18, 19, 20 and 21, City of Detroit, Wayne County, Michigan as recorded in Liber 1, Page 286, Wayne County Records.

Be and the same is hereby vacated as a public alley and is hereby converted into a public easement of the full width of the alley, which easement shall be subject to the following covenants and agreements, uses, restrictions and regulations, which shall be observed by the owners of the lots abutting on said alley and by their heirs, executors, administrators and assigns, forever to wit:

First, said owners hereby grant to and for the use of the public an easement or right-of-way over said vacated public alley herein above described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or poles or things usually placed or installed in a public alley in the City of Detroit, with the right to ingress and egress at any time to and over said easement for the purpose above set forth.

Second, said utility easement or right-of-way in and over said vacated alley herein above described shall be forever accessible to the maintenance and inspection forces of the utility companies, or those specifically authorized by them, for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any sewer conduit, water main, gas line or main, telephone or light pole or any utility facility placed or installed in the utility easement or right-of-way. The utility companies shall have the right to cross or use the driveways and yards of the adjoining properties for ingress and egress at any time to and over said utility easements with any necessary equipment to perform the above-mentioned tasks, with the understanding that the utility companies shall use due care in such crossing or use, and that any property damaged by the utility companies, other than that specifically prohibited by this resolution, shall be restored to a satisfactory condition.

Third, said owners for their heirs and assigns further agree that no building or structure of any nature whatsoever including, but not limited to, concrete slabs or driveways, retaining or partition walls (except necessary line fence) shall be built or placed upon said easement, nor any change of surface grade made without prior approval of the City Engineering Department.

Fourth, that if at any time in the future, the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners upon whose property the poles or other utilities are located pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners.

Provided further, that if any utility located or to be located in said property shall break or be damaged as a result of any action on the part of the petitioner or assigns (by way of illustration but not limitation) such as storage of excessive weights of materials or construction not in accordance with Section 2, mentioned above, then in such event the petitioner or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility; and be it further

Resolved, that if it becomes necessary to remove the paved alley return at the alley entrance, such removal and construction of new curb and sidewalk shall be done under City permit and inspection according to City Engineering Department specifications with all costs borne by the petitioner, his heirs or assigns.

Adopted as follows:
Year -- Council Members Cleveland,
Eberhard, Kelley, Peoples, Ravitz and President Pro Tem Hood -- 6.
Nays -- None.

10704
NOV 20 1985

Rec'd 10-16-85
22542
R. 618

STATE OF MICHIGAN) SS. SHORT FORM - TRUE COPY CERTIFICATE
CITY OF DETROIT)

I, JAMES H. BRADLEY, CITY CLERK of the City of Detroit, do hereby certify that the annexed paper is a true copy of a Resolution

adopted by the City Council on July 17, 1985

and approved by the Mayor on July 25, 1985

as appears from the Journal of said City Council, on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said City, at Detroit, on

October 15, 1985

James H. Bradley
City Clerk
JAMES H. BRADLEY

FORWARD TO "STATE TREASURER" 10704

PETITION NO. 3546
AMERICAN RED CROSS
% DUANE E. JOHNSON
PHONE: 633-4440

Dec 21/17/85
P. 1618-19

ELIOT ST.
REQUESTED CONVERSION TO
EASEMENT OF ALLEY

WOODWARD AVE.
JOHN R. ST.

ERSKINE ST.

BRUSH SUB'D OF PART OF
PARK LOTS 17, 18, 19, 20 & 21
BRUSH SUB'D OF PART OF PARK LOTS
17, 18, 19, 20 & 21 AND PART OF
BRUSH FARM ADJOINING

SCALE: 1" = 100'
TOPO NO. 29-A

FOR OFFICE USE ONLY

DESCRIPTION	Drawn	CHKD	App'd	Date
REQUESTED CONVERSION TO EASEMENT OF PART OF THE N/S ALLEY IN THE BLOCK BOUND BY WOODWARD, JOHN R., ERSKINE AND ELIOT				

CITY OF DETROIT
City Engineering
Job No. 01-01
Dwg. No. X-3546
Date MAY 22, 1985

Form C of D-385-SH (10-87)

and be it further

RESOLVED, That the City Clerk be directed to forward copies of this resolution, with the above mentioned Exhibit C, to the United States Post Office, Detroit, Michigan, to the Treasurer of the State of Michigan, and to the Wayne County Register of Deeds.

-2-

BY COUNCIL RESOLUTION

EXHIBIT C, That the following listed Permanent Easement and Temporary Easement Streets which will in the near future be opened for public access in and around the Renaissance Center facilities, and which lie within a parcel of land described as lying within portions of Section 4 of the Governor and Judges Plan (including the Marquette properties), Private Claim 2 (the Boaibon Farm), the Old Claims therein, Private Claim 2 (the Boaibon Farm) and Private Claim 3 (the Boaibon Farm) lying east of Baker Street, south of Jefferson Avenue, west of St. Antoine Street and north of the Detroit River be given the names herein designated:

- (a) Renaissance Drive [northerly North/South street from its point of intersection with Jefferson Avenue on the North to its point of intersection with Renaissance Drive N. on the South] (Exhibit C(1) - Street Level);
- (b) Renaissance Drive N. [northerly East/West street from its point of intersection with Renaissance Center W. on the West to its point of intersection with St. Antoine Street on the East] (Exhibit C(1) - Street Level);
- (c) Renaissance Drive W. [easterly North/South street from its point of intersection with Renaissance Drive N. on the North to its point of intersection with Renaissance Drive S. on the South] (Exhibit C(1) - Street Level);
- (d) Renaissance Drive S. [southerly East/West street from its point of intersection with Renaissance Drive W. on the West to its point of merge with Atwater Street] (Exhibit C(1) - Street Level);
- (e) Beaibon Street [continuation of Beaibon Street south of Jefferson Avenue to its point of intersection with Atwater Street] (Exhibit C(2) - Lobby Level);
- (f) Atwater Street [be relocated from vacated Woodward Avenue on the West to its point of intersection with Atwater Street] (Exhibit C(2) - Lobby Level);
- (g) Parkway Drive [north/South lobby level street from its point of intersection with Atwater Street on the South to its point of intersection with Service Drive N. on the North] (Exhibit C(2) - Lobby Level);
- (h) Franklin Street [continuation of Franklin Street west of St. Antoine Street to its point of intersection with Service Drive E.] (Exhibit C(3) - Service Level);
- (i) Service Drive N. [northerly East/West service level street from its point of intersection with Service Drive W. on the West to its point of intersection with Service Drive E. on the East] (Exhibit C(3) - Service Level);
- (j) Service Drive W. [easterly North/South service level street from its point of intersection with Service Drive N. on the North to its point of intersection with Service Drive S. on the South] (Exhibit C(3) - Service Level);
- (k) Service Drive S. [southerly East/West service level street from its point of intersection with Service Drive W. on the West to its point of intersection with Service Drive E. on the East] (Exhibit C(3) - Service Level);
- (l) Service Drive E. [easterly North/South service level street from its point of intersection with Service Drive S. on the South to its point of intersection with Service Drive N. on the North] (Exhibit C(3) - Service Level);

